

**NO. 2023-00964**

ALEXANDRA MEALER, REPUBLICAN	§	
GENERAL ELECTION CANDIDATE FOR	§	<u>IN THE DISTRICT COURT</u>
HARRIS COUNTY JUDGE,	§	
CONTESTANT	§	
	§	
v.	§	133rd <u>JUDICIAL DISTRICT</u>
	§	
	§	
HON. LINA HIDALGO, DEMOCRATIC	§	
GENERAL ELECTION CANDIDATE FOR	§	
HARRIS COUNTY JUDGE,	§	
CONTESTEE	§	HARRIS COUNTY, TEXAS

**CONTESTANT MEALER'S RULE 205.3 NOTICE TO THIRD PARTY HARRIS COUNTY DEPARTMENT OF ELECTIONS TO PRODUCE DOCUMENTS WITHIN THE POSSESSION OF THE DEPARTMENT OF ELECTIONS**

**TO: Clifford Tatum  
By and thru his counsel of record  
Jonathan Fomborne  
1019 Congress  
15<sup>th</sup> Floor  
Houston, TX 77002**

Contestant Mealer, by and through undersigned counsel, files this Notice to Produce Documents to Harris County Elections Administrator, Clifford Tatum, Custodian of Election Records for the November 2022 General Election, or a member of his office, a third party witness to the events which underlay the above referenced suit, by and through his counsel of record, in the case of *Mealer v. Hidalgo*, filed under Cause Number 2023-00964 in the District Court of Harris County, 133rd Judicial District, Texas, to produce and permit inspection and copying of designated documents or tangible things in Clifford Tatum's possession, custody, or control as follows in the following manner:

Produce Documents At:  
Address:

133rd District Court via digital production  
201 Caroline St 11th floor, Houston, TX  
77002

via Email and E-Service pursuant to the  
terms of a standing order of the Court  
for communication in this matter

Date:  
Time:

On or before March 24th, 2023, at  
12:00 P.M. Noon

This shall serve as a notice under T.R.C.P. Rule 205.3 that a request for these documents is hereby made, and a subpoena will follow 10 days from today, rolled over to the next business day, on Monday, February 20, 2023.

The following documents are requested:

Regarding Ballots Cast in Person:

1. All precinct returns for this race;
2. An official copy of the canvassed results by precinct;
3. All ballot and seal certificates for the precincts within the territory covered by this race  
for Early Voting in Person and Election Day in Person;
4. All copies of e-poll books output;
5. All voter rosters for each location where a vote was cast in-person in this election;

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Rule 205.3 Notice to Third Party Harris County Dept. of Elections

6. Reports showing the number of paper ballots allocated for each location;
7. Tech slips, call records, repair requests, witness statements, and other official records of issues reported on election day.
8. Any audit logs created for the Hart Verity system;
9. List of Early Voting or Election Day polling locations that had a discrepancy of one percent or more between the number of voters that checked in to the number of votes cast at that location;
10. All transfer forms from Central Count to the Early Voting Ballot Board for ballots in this race;
11. All transfer forms for ballots in this race from the Signature Verification Committee to the Central Count;
12. All transfer forms for ballots in this race from the Signature Verification Committee to the Early Voting Ballot Board;
13. All transfer forms for ballots in this race from the Early Voting Ballot Board to the Central Count;
14. Registry of spoiled ballots from every polling place on Election Day;
15. A copy of the CCS plan for the November 2022 General Election;
16. CCS Reconciliation forms;
17. Audit logs from the Hart software, the devices backed up report from SERVO, the Media Production List from Boss, and MBB processing and status reports from Rally

and Tally and other documents that may be used to reconcile the number of voters who checked in at a location on Election Day with ballots cast;

18. Copies of all documents in each JBC Election Day Envelope per location including tape print outs and Reconciliation cover sheets; the Expired Code & Cancelled Booth Logs;
19. JBC Reconciliation Forms;
20. The JBC Reconciliation Log for each Election Day polling location;
21. Tabulation audit logs for Election Day;
22. all Central Count Packets used for polling places who accepted voters on Election Day;

**Regarding Ballots Cast by Mail:**

23. All carrier envelopes for ballots by mail returned for this race;
24. A record reflecting the number of applications for annual ballot by mail for a ballot in this race;
25. Records and official reports listing the number of ballots by mail requested, sent, and returned in this race;
26. VMAX or other reports listing each ballot by mail requested and sent in this race;
27. All tally sheets for late arriving ballots by mail in this race;

**Regarding Provisional Ballots:**

28. All provisional ballots and ballot envelopes cast in this race;
29. Registry of provisional voters from every polling place on election day;
30. Provisional voter affidavits from every polling place on election day;
31. Any notices of rejected ballots sent to a voter who resides in the territory covered by this race pursuant to Section 87.0431; and
32. An official copy of the canvassed results for early voting ballot by mail.

Contestant **PRAYS** notes that in accordance with Rule 205.3 this constitutes Notice to a third party to produce documents.

Respectfully submitted,

/s/ Elizabeth Alvarez

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/s/ Scott Gray

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/s/ Abigail Spain

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## CERTIFICATE OF SERVICE

This is to certify that on or before filing, a true and correct copy of the above and foregoing document was served on Jonathan Fombonne, and all counsel of record for this matter and associated matters, by order of the Court, by electronic service through the Electronic Filing Manager.

/s/ Elizabeth Alvarez  
Elizabeth Alvarez

RETRIEVED FROM DEMOCRACYDOCKET.COM

## Automated Certificate of eService

This automated certificate of service was created by the e filing system. The filer served this document via email generated by the e filing system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Scott Gray on behalf of Elizabeth Alvarez  
Bar No. 24071942  
scott@guestandgray.com  
Envelope ID: 72576626  
Status as of 2/9/2023 9:05 AM CST

### Case Contacts

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